**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL**

**Writ Petition No. 818 of 2006 (M/B)**

Harpal Singh S/o Sumer Chand,
R/o Village Patti Dada,
Police Station Bhagwanpur,
District Haridwar. ..... Petitioners

Versus

1. State of Uttaranchal,
through Senior Superintendent of Police,
Haridwar.
2. S.O. Kotwali Roorkee,
District Haridwar.
3. Naushad S/o Basher,
R/o Village Daryapur Dayalpur,
Police Station Bhagwanpur,
Tehsil Roorkee, District Haridwar. ..... Respondents

Mr. Manish Arora, Advocate for the petitioner.
Nr. D.K. Sharma, Government Advocate for respondents Nos. 1 & 2.

**JUDGMENT**

**Coram: Hon'ble Rajeev Gupta, C.J.**
**Hon'ble Prafulla C. Pant, J.**

**RAJEEV GUPTA, C. J. (Oral)**

Mr. Manish Arora, Advocate for the petitioners.

Mr. D.K. Sharma, Government Advocate for respondents Nos. 1& 2.

They are heard on admission.

2. Petitioner Harpal Singh has filed this writ petition for the following reliefs:

> "(a) issue a writ order or direction in the nature of certiorari as to quash the FIR dated 26.06.2006 in case crime No. 192/2006 State Vs. Harpal Singh and others U/s 420, 467, 468, 471 of the I.P.C. P.S. Kotwali Roorkee District Haridwar. (contained as annexure no. 1) to this writ petition.

(b) issue a writ order or direction in the nature of mandamus commanding the respondent no. 1 & 2 to not to arrest the petitioner till the filing of the charge sheet in case crime no. 192/2006 State Vs. Harpal Singh and others U/s 420, 467, 468, 471 of I.P.C. P.S. Kotwali Roorkee, District Haridwar. (contained as annexure no. 1) to this writ petition.

(c) Pass any such other order, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

(d) Award the cost of the petition to the petitioners."

3. The petitioners is apprehending his arrest for his alleged involvement in Crime No. 192 of 2006 registered at Police Station Kotwali Roorkee, District Haridwar for the alleged commission of the offences punishable under Sections 420, 467, 468 and 471 of the I.P.C.

4. On due consideration of the submissions of the learned counsel for the parties; the serious nature of the allegations against the accused persons in the First Information Report and the active role alleged to have been played by the petitioner in the alleged fraudulent transaction, we are of the opinion that it is not a fit case for grant of any of the reliefs sought by the petitioner in the writ petition.

5. The writ petition, therefore, is liable to be dismissed summarily.

6. However, we deem it proper to direct that in the event of arrest of petitioner Harpal Singh by the police or his surrender before the court concerned, his bail petition shall be taken up for hearing in accordance with law without any undue delay.

7. With the above observation, the writ petition stands disposed of.

8. With the above order, CLMA No. 8698 of 2006 also stands dismissed.

**(Prafulla C. Pant, J.)** 13.07.2006

**(Rajeev Gupta, C. J.)** 13.07.2006

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